

REMARKS

Claims 1-34 are all the claims pending in the application. Claims 1-14, 24-26, 30, 31, and 33 have been withdrawn from consideration.

The Examiner finds that the title of the invention is not descriptive, and has suggested a new title. Applicants appreciate the Examiner's suggestion for a new title, and have amended the title in accordance with the Examiner's suggestion.

Claim Rejections:

Claims 15, 16, 18-21, 27-29, 32 and 34 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Yonemoto et al. (U.S. Patent No. 6,298,239). Claims 17 and 22-23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable of Yonemoto et al. in view of the Examiner taking Official Notice as to the features of these claims being well-known. Applicants respectfully traverse these rejections.

Independent claim 15 recites:

*A communication terminal, comprising:
a receiver that receives data and
a controller that generates a notification at the completion of data reception according to a time period for receiving the data.*

In operation, the controller of the communication terminal of the present invention incorporates a feature whereby a notification indicating completion of the reception of data is generated based on the time period that it takes to receive the data transmitted from, for example,

a server. In this manner, a user can set the communication terminal, such as a cellular phone, to only notify the user when messages are received where the message reception exceeds a certain time period. One advantage of the communication terminal of the present invention over a conventional communication terminal is that in the conventional communication terminal, a notification, such as a "beep" is provided for *every* data reception. Since small amounts of data are frequently received by conventional communication terminals (short time period reception), coupled with the increasing use and popularity of communication terminals, the numerous "beeps" can be bothersome to both the user and those in the surrounding area.¹ The present invention overcomes this problem by including a controller operable to provide a notification "*at the completion of data reception according to a time period for receiving the data*" as recited in claim 15.

The Examiner alleges that claim 15 is anticipated by the disclosure of Yonemoto et al. Specifically, the Examiner refers to a Yonemoto et al. communication system having a receiver (citing Fig. 4, item 1110) and a controller (citing Fig. 4, item 1140). The Examiner alleges that the controller of Yonemoto et al. generates a notification (citing Fig. 5, S1506) at the completion of data reception according to a time period for receiving the data (citing Fig. 5, col. 11, line 4 - col. 12, line 49). Applicant respectfully traverses this rejection.

Specifically, the "controller" of Yonemoto et al. is entirely different than the controller of the present invention. From a broad perspective, in the Yonemoto et al. device, like in a

¹ See specification at page 5, first paragraph.

conventional communication terminal as discussed above, data is received, and a notification of reception of that data is provided *each* time. In the present invention, in contrast, a notification need not be provided for each received data, and can be provided according to a time period for receiving the data. The time period relates to a period anywhere from the start of data communication from the server to the communication terminal to the end of this data communication.²

Further, the Yonemoto et al. device, and in particular, the received data analysis unit 1130 must analyze all of the content data searching for valid headers, such as "Content Direction: random" (see Figure 3, Item 1103). As such, the transmission data must include this portion of the header, and when the data is received by the received data analysis unit 1130, the data must be rebuilt with the header. In the embodiments recited in the claims of the present application, this header data is not necessary.

More specifically, in the Yonemoto et al. device, as discussed in the section cited by the Examiner, once data is received, it is stored in the received data storage unit 1120. Then, the data is analyzed by received data analysis unit 1130 to determine whether random processing of the data is required. That is, in general, whether the notification of data reception should be indicated or provided immediately, or whether there should be a delay in providing notification of reception of the data. In either manner, the notification of reception of the data is *always* provided, although it may be delayed so that a response to the data received is not sent by

² See present specification at page 27, last paragraph - page 29.

multiple communication terminals (simultaneously receiving the data) to a server at the same time. Accordingly, the Yonemoto et al. device does not provide notification "*at the completion of data reception according to a time period for receiving the data*" as recited in claim 15.

Rather, the Yonemoto et al. device only delays notification of the data. Assuming arguendo, if any time period at all is suggested by Yonemoto et al., it is a time period indicative of a delay in indicating reception of data after the data has already been received. This is quite different than a time period indicative of a time for data reception as in the present invention. Therefore, Applicants submit that claim 15 is allowable, as well as independent claims 27, 32, and 34 which also include this feature.

The remaining dependent claims are allowable for their respective dependency on claims 15 and 27 for the reasons above, as well as their own features. For example, claims 16-18, and 28 and 29 also include the "time period" feature of the present invention as it relates to claims 15 and 27 respectively.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. §1.111
U.S. Patent Application No. 09/657,939

Atty. Docket No. Q60150

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Ronald Kimble
Registration No. 44,186

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: January 29, 2004